

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

FRANK E. TORRES RODRIGUEZ;
INGRID S. SILVA RODRIGUEZ

Debtors

CASE NO. 16-06971 (EAG)

CHAPTER 11

MOTION TO DISMISS

TO THE HONORABLE COURT:

COMES NOW PR Recovery and Development JV, LLC ("PR Recovery"), successor in interest of Banco de Desarrollo Económico para Puerto Rico ("BDE"), through the undersigned counsel, and respectfully states and prays as follows:

1. Today, PR Recovery filed a *Motion to Reopen Case* (Docket No. 239) for the Court to enter an order dismissing the instant case under Section 1112(b)(4)(N) of the Bankruptcy Code.
2. To avoid repetition, PR Recovery hereby adopts by reference the factual and legal grounds that warrant the dismissal of the instant case stated at Docket No. 239 and incorporates them as if fully transcribed herein.

WHEREFORE, PR Recovery prays the Court to dismiss the instant bankruptcy case.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 16th day of October 2020.

Objection Language - PR LBR 5010-1

Within twenty-one (21) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if you were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the clerk's office of the United States Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (i) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the court, the interest of justice requires otherwise.

Affidavit of Military Service

Pursuant to PR LBR 9013-1(c)(3) regarding the Debtors' military status, PR Recovery attaches hereto a copy of their Military Status Reports obtained from the Department of Defense Manpower Data Center. See Exhibit I.

Certificate of Service

We hereby certify that on this same date, we electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to all CM/ECF participants. The motion will also be sent by mail to the Debtors upon their attorney's assertions that he no longer represents them at P.O. Box 33, Yauco, PR 00698 (although there is no motion to withdraw legal representation at the moment). Motions and orders processed through CM/ECF are "presumed to be served on the same date of the electronic filing". P.R. Elec. Power Auth. v. Vitol, Inc., 298 F.R.D. 23, 26 (D.P.R.2014).

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